

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 21331 of 2006(M)

PETITIONERS:

1. P.C.JOSEPH, PATHIL, ELW 21/722
THONDANKULANGARA WARD, ALAPPUZHA.
2. BINU.D, AYYANATTU HOUSE,
ELW 21/724, THONDANKULANGARA WARD,
ALAPPUZHA.

BY ADV. SRI.JOHN BRITTO
SRI.C.A.RAJEEV

RESPONDENTS:

1. ALAPUZHA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY.
2. THE ENVIRONMENTAL ENGINEER,
STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, THONDANKULANGARA, ALAPUZHA.
3. K.O.PAPPACHAN, SOJAN ENTERPRISES,
SOJAN HOUSE,
THONDANKULANGARA WARD, ALAPUZHA.
4. SOJAN, SOJAN ENTERPRISES,
SOJAN HOUSE,
THONDANKULANGARA WARD, ALAPUZHA.

R3-R4 BY ADV. SRI.JOMY GEORGE
R1-R2 SRI.M.K.CHANDRA MOHANDAS, S.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09/04/2007 ALONG WITH W.P.C.NO.11837/07, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC NO.21331/06)

PETITIONERS EXTS.:

EXT.P1: TRUE COPY OF COMPLAINT DATED 11.1.05 BEFORE THE 2ND RESPONDENT.

EXT.P2: TRUE COPY OF DECISION DATED 22.1.05 BEFORE THE 1ST RESPONDENT.

EXT.P3: TRUE COPY OF REPRESENTATION DATED 30.7.05 BEFORE THE 1ST RESPONDENT.

EXT.P4: TRUE COPY OF ACKNOWLEDGEMENT DATED 11.1.06 FROM THE 1ST RESPONDENT.

PIUS C. KURIAKOSE,J.

W.P.(C)Nos.21331 of 2006 & 11837 of 2007

Dated: 9th April, 2007

JUDGMENT

W.P.C.No.11837 of 2007 is filed seeking a direction to the 1st respondent-Municipality to take an early decision on the application for licence submitted by the petitioners for the conduct of gold and silver extraction unit. W.P.C.No.21331 of 2006 is filed by the petitioners therein praying that the petitioners in W.P.C.No.11837 of 2007 may not be issued with any licence.

2. Alappuzha Municipality has filed a statement in W.P.C.No.21331 of 2006. However, I do not propose to go into the merits of the matter. Both the Writ Petitions will stand disposed of directing the Alappuzha Municipality to take an early decision on the application for licence submitted by the petitioners in W.P.C.No.11837 of 2007 with notice to the petitioners in W.P.C.No.21331 of 2006 also. In the meanwhile, the petitioners in W.P.C.No.11837 of 2007 are directed to refrain from conducting the industry till such time as they obtain licence from the Municipality.

srd

PIUS C.KURIAKOSE, JUDGE